

Senate Amendment to
House File 2417

H-8208

1 Amend House File 2417, as amended, passed, and
2 reprinted by the House, as follows:
3 1. By striking page 3, line 2, through page 4, line
4 33, and inserting:
5 <Sec. _____. Section 222.13, Code 2014, is amended to
6 read as follows:
7 **222.13 Voluntary admissions.**
8 1. If an adult person is believed to be a person
9 with an intellectual disability, the adult person or
10 the adult person's guardian may ~~submit a request in~~
11 ~~writing through the central point of coordination~~
12 ~~process for the county board of supervisors of the~~
13 ~~adult person's county of residence to apply to the~~
14 ~~department and the superintendent of any state resource~~
15 ~~center for the voluntary admission of the adult person~~
16 ~~either as an inpatient or an outpatient of the resource~~
17 ~~center. The board of supervisors shall, on forms~~
18 ~~prescribed by the department's administrator, apply~~
19 ~~to the superintendent of the resource center in the~~
20 ~~district for the admission of the adult person to the~~
21 ~~resource center. If the expenses of the person's~~
22 ~~admission or placement are payable in whole or in~~
23 ~~part by the person's county of residence, application~~
24 ~~for the admission shall be made through the regional~~
25 ~~administrator for the county. An application for~~
26 ~~admission to a special unit of any adult person~~
27 ~~believed to be in need of any of the services provided~~
28 ~~by the special unit under section 222.88 may be made in~~
29 ~~the same manner, upon request of the adult person or~~
30 ~~the adult person's guardian. The superintendent shall~~
31 ~~accept the application if a preadmission diagnostic~~
32 ~~evaluation, performed through the central point of~~
33 ~~coordination process, confirms or establishes the need~~
34 ~~for admission, except that an application shall not~~
35 ~~be accepted if the institution does not have adequate~~
36 ~~facilities available or if the acceptance will result~~
37 ~~in an overcrowded condition.~~
38 2. If the resource center ~~has no~~ does not have an
39 appropriate program for the treatment of an adult or
40 minor person with an intellectual disability applying
41 under this section or section 222.13A, the board of
42 supervisors regional administrator for the person's
43 county of residence or the department, as applicable,
44 shall arrange for the placement of the person in any
45 public or private facility within or without the state,
46 approved by the director of the department of human
47 services, which offers appropriate services for the
48 person, as determined through the central point of
49 coordination process. If the expenses of the placement
50 are payable in whole or in part by a county, the

1 placement shall be made by the regional administrator
2 for the county.

3 ~~3. Upon applying for admission~~ If the expenses of
4 ~~an admission~~ of an adult ~~or minor person~~ to a resource
5 ~~center, or a special unit, or upon arranging for of~~
6 the placement of the person in a public or private
7 facility are payable in whole or in part by a county,
8 ~~the board of supervisors regional administrator for~~
9 ~~the county~~ shall make a full investigation into the
10 financial circumstances of ~~that the~~ person and those
11 liable for ~~that the~~ person's support under section
12 222.78 to determine whether or not any of them are able
13 to pay the expenses arising out of the admission of the
14 person to a resource center, special treatment unit,
15 or public or private facility. If the ~~board regional~~
16 ~~administrator~~ finds that the person or those legally
17 responsible for the person are presently unable to pay
18 the expenses, the ~~board shall direct that regional~~
19 ~~administrator shall pay the expenses be paid by~~
20 payable by a county on behalf of the county. The ~~board~~
21 ~~regional administrator~~ may review ~~its~~ such a finding
22 at any subsequent time while the person remains at the
23 resource center, or is otherwise receiving care or
24 treatment for which this chapter obligates the county
25 to pay. If the ~~board regional administrator~~ finds upon
26 review that the person or those legally responsible
27 for the person are presently able to pay the expenses,
28 the finding shall apply only to the charges incurred
29 during the period beginning on the date of the review
30 and continuing thereafter, unless and until the
31 ~~board regional administrator~~ again changes ~~its~~ such a
32 finding. If the ~~board regional administrator~~ finds
33 that the person or those legally responsible for the
34 person are able to pay the expenses, the ~~board shall~~
35 ~~direct that regional administrator shall collect the~~
36 ~~charges be so paid to the extent required by section~~
37 222.78, and the ~~county auditor regional administrator~~
38 shall be responsible for the collection payment of the
39 remaining charges.>

40 2. Page 25, by striking lines 10 through 14 and
41 inserting:

42 <a. ~~A county may split the~~ The charges payable
43 by a county may be split between the county's mental
44 ~~health, intellectual disability, and developmental and~~
45 disabilities services fund created pursuant to section
46 331.424A and the county's budget for ~~substance abuse~~
47 substance related disorder expenditures.>

48 3. Page 44, after line 27 by inserting:

49 <Sec. _____. 2013 Iowa Acts, chapter 138, section
50 29, subsection 1, paragraph n, is amended to read as

1 follows:

2 n. For the fiscal year beginning July 1, 2013,
3 the reimbursement rates for inpatient mental health
4 services provided at hospitals shall be increased
5 by 1 percent over the rates in effect on June 30,
6 2013, subject to Medicaid program upper payment
7 limit rules; ~~community mental health centers and~~
8 ~~providers of mental health services to county residents~~
9 ~~pursuant to a waiver approved under section 225C.7,~~
10 ~~subsection 3, shall be reimbursed at 100 percent of~~
11 ~~the reasonable costs for the provision of services to~~
12 ~~recipients of medical assistance; and psychiatrists~~
13 shall be reimbursed at the medical assistance program
14 fee-for-service rate.

15 Sec. _____. 2013 Iowa Acts, chapter 138, section 29,
16 subsection 1, is amended by adding the following new
17 paragraph:

18 NEW PARAGRAPH. 0o. For the fiscal year beginning
19 July 1, 2013, community mental health centers may
20 choose to be reimbursed for the services provided to
21 recipients of medical assistance through either of the
22 following options:

23 (1) For 100 percent of the reasonable costs of the
24 services.

25 (2) In accordance with the alternative
26 reimbursement rate methodology established by the
27 medical assistance program's managed care contractor
28 for mental health services and approved by the
29 department of human services.>

30 4. Page 44, after line 29 by inserting:

31 <Sec. _____. EMERGENCY RULES. The department of
32 human services may adopt emergency rules under section
33 17A.4, subsection 3, and section 17A.5, subsection 2,
34 paragraph "b", to implement the provisions of this Act
35 amending 2013 Iowa Acts, chapter 138, and the rules
36 shall be effective immediately upon filing unless
37 a later date is specified in the rules. Any rules
38 adopted in accordance with this section shall also be
39 published as a notice of intended action as provided
40 in section 17A.4.

41 Sec. _____. EFFECTIVE UPON ENACTMENT. The sections
42 of this Act amending 2013 Iowa Acts, chapter 138, and
43 relating to the amendments, being deemed of immediate
44 importance, take effect upon enactment.

45 Sec. _____. RETROACTIVE APPLICABILITY. The sections
46 of this Act amending 2013 Iowa Acts, chapter 138, and
47 relating to the amendments, apply retroactively to July
48 1, 2013.>

49 5. Title page, line 3, after <counties> by
50 inserting <, including reimbursement of community

1 mental health centers under the medical assistance
2 program for the fiscal year beginning July 1, 2013, and
3 including effective date and retroactive applicability
4 provisions.>
5 6. By renumbering as necessary.